

**Before the State of South Carolina  
Department of Insurance**

**In the Matter of:**

Clarence Joseph

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SCDOI Docket # 07-1279

**ORDER REVOKING  
RESIDENT PRODUCER  
LICENSE**

This matter comes before the South Carolina Department of Insurance (the Department), upon application of David E. Belton, Esquire, Senior Associate General Counsel for the Department, requesting the revocation of Clarence Joseph's, (Producer) resident producer's license.

After careful review of the evidence presented the Department issues the following decision:

**FINDINGS OF FACT**

Producer is currently a South Carolina resident producer.

In the State of South Carolina the producer failed to remit premiums to the American International Group, Inc. (AIG) in the amount of at least \$2,919.82.

In the State of South Carolina the producer failed to respond to the notice of investigation sent by the Department, after receiving and signing for it by certified mail on November 29, 2007.

**CONCLUSIONS OF LAW**

Pursuant to S.C. Code §38-43-130(A)(C)(4). (A) "The Director of Insurance or his designee may deny, suspend, revoke, place on probation, or refuse to renew any license issued under this Chapter after ten days' notice when it appears that a producer has been convicted of a crime involving moral turpitude, has violated this title or any regulation promulgated by the department, or has willfully deceived or dealt unjustly with the citizens of this State." (C) "The words 'deceived or dealt unjustly with the citizens of this State' include, but are not limited to, action or inaction by the producer, as follows: (4) improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business." Because Clarence Joseph failed to remit premiums to AIG in the amount of at least \$2,919.82 dollars, the Department now moves to revoke his producer license.

Pursuant to S.C. Code §38-43-240(A)(3), (A) "It is unlawful for a producer, collector, or other person to:" (3) "fail to turn over or satisfactorily account for all collections of the insurer when required." Because Clarence Joseph failed to remit premiums to AIG in the amount of at least \$2,919.82 dollars, the Department now moves to revoke his producer license.

## **ORDER**

**THEREFORE**, it is ordered that Clarence Joseph, South Carolina resident producer's license shall be revoked thirty (30) days from the date of this order, and no license issued through the State of South Carolina Department of Insurance is to be issued to him, unless Clarence Joseph requests in writing within said thirty (30) day period a public hearing before the South Carolina Administrative Law Court.

It is **FURTHER ORDERED** that the National Association of Insurance Commissioners be immediately be notified of this order.

This South Carolina Department of Insurance administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *freedom of Information Act*, S.C. Code Ann. §§30-4-10, et seq. (1991 and Supp. 2006). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. §38-3-110(3) (Supp. 2006).



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Scott H. Richardson  
Director of Insurance

Dated this 11 day of February 2008